

William M. Audet (waudet@audetlaw.com)
Michael McShane (mmcshane@audetlaw.com)
Adel A. Nadji (anadji@audetlaw.com)
AUDET & PARTNERS, LLP
221 Main Street, Suite 1460
San Francisco CA 94105
Telephone: 415.982.1776
Facsimile: 415.568.2556

Law Offices of Anthony M. Urie
Anthony M. Urie (Cal. State Bar #92363)
18025 17th Ave. N.W.
Shoreline, WA 98177

*Attorneys for Plaintiffs and
the Class Members*

**UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA**

Chelsea, LLC, Mark Russo, Allen Loretz,
and Ivan Simpson, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

Regal Stone, Ltd., Hanjin Shipping, Co.,
Ltd., Conti Cairo KG, NSB Neiderelbe,
Synergy Maritime, Ltd. *In Personam*; M/V
Cosco Busan, their engines, tackle,
equipment, appurtenances, freights, and
cargo *In Rem*,

Defendants.

) Court File No. C-07-5800-SC

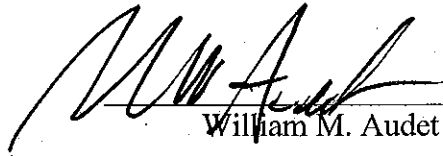
) **IN ADMIRALTY**

) **DECLARATION OF COUNSEL**
) **WILLIAM M. AUDET IN SUPPORT OF**
) **EX PARTE APPLICATION FOR ARREST**
) **OF VESSEL COSCO BUSAN**

I, William M. Audet, Declare as follows:

1. That I am over the age of 18, base this declaration upon personal knowledge and am otherwise competent to testify herein. I am counsel for Plaintiffs Chelsea, LLC, Mark Russo, Allen Loretz, Ivan Simpson and Class.
2. I have read the foregoing complaint which is verified by Plaintiff Mark Russo. Mr. Russo has verified that the U.S. Guard in San Francisco Bay, California has stated that the COSCO BUSAN is in San Francisco Dry Dock in San Francisco Bay as of November 19, 2007.
3. Mr. Russo in his Verified First Amended Complaint has certified facts sufficient to establish a valid maritime lien, that this case arises out of the oil spillage in the San Francisco Bay that was caused by the COSCO BUSAN on November 7, 2007. The impact of the crash tore a huge gash in the side of the vessel and resulted in the spillage of an estimated 58,000 gallons of fuel oil into the fragile San Francisco Bay ecosystem. This disaster has immediately impacted the livelihood of thousands and thousands of individuals and small businesses, such as Plaintiffs who are commercial fishers, and crabbers, as well as recreational charter operations.
4. Based upon the aforementioned facts including the facts set forth in the Verified First Amended Complaint, there appears to be just cause for an immediate issuance of a warrant of arrest for the arrest of the Vessel COSCO BUSAN.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct to the best of my knowledge. Dated this 19th day of November 2007.



William M. Audet